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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/003,0050 10/003 094
	Filing Date	November 2, 2001
	First Named Inventor	Joern Ostermann
	Art Unit	2655
	Examiner Name	Minerva Rivero
Total Number of Pages in This Submission	Attorney Docket Number	2001-0600

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form 1449 (4 Pages) Seven non-patent references attached
Remarks _____		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Richard C. Irving, 38,499
Signature	<i>Richard C. Irving</i>
Date	May 9, 2005

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Typed or printed name	Richard C. Irving		
Signature	<i>Richard C. Irving</i>	Date	May 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Joern Ostermann

Serial No.: **10/003,094**

Filed: **November 2, 2001**

**FOR: SYSTEM AND METHOD FOR
SENDING MUTLI-MEDIA MESSAGES
WITH CUSTOMIZED AUDIO**



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: Attorney Ref.: **2001-0600**
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: Art Unit: **2655**
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: Examiner: **Minerva Rivero**
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**The Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08A. Unless otherwise indicated herein, one copy of each reference that is not a US Patent reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56(b).

- ☐ 1. This information disclosure statement is being filed within three months of the filing date of a national application other than a continued prosecution application under §1.53(d); within three months of the date of the entry of the national stage as set forth in §1.491 in an international application; before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under §1.114. No certification or fee is required. (37 C.F.R. §1.97(b)). If a first office action was mailed before the filing of this IDS, please debit deposit account 502960 the necessary fees set forth in 37 C.F.R. §1.17(p) to proceed to consider the cited references.
- ☒ 2. This information disclosure statement is being filed more than three months after the filing date of a national application other than a continued prosecution application under §1.53(d); more than three months after the date of the entry of the national stage as set forth in §1.491 in an international application; after the mailing date of a first Office action on the merits, or after the mailing of a first Office action after the filing of a request for continued examination under §1.114, but before the mailing date of any of a Final action under §1.113, a Notice of Allowance under §1.311 or an action that otherwise closes prosecution in the application. (37 C.F.R. §1.97(c)).
- ☐ a. I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent

office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(1)).

☒ b. Except for the resubmission of references that were previously submitted with incorrect patent numbers and except for the resubmission of non-patent references that were listed on previous PTO-1449 forms, without the non-patent references themselves being submitted to the Patent Office, I hereby certify that no item of new information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to my knowledge after making reasonable inquiry, no item of new information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97 (e)(2)).

☐ c. Attached is a credit card payment form and Fee Transmittal for payment of \$180 to cover the fee under 37 C.F.R. §1.17(p) and to ensure consideration of the disclosed information. If necessary to process this IDS, please debit Deposit Account No. 502960 any additional amount in order to ensure consideration of this IDS.

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☐ a. I hereby certify that each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97(e)(1)).

☐ b. I hereby certify that no item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this information disclosure statement. (37 C.F.R. §1.97(e)(2)).

☐ c. Please debit Deposit Account No. _____ in the amount of _____ to cover the fee under 37 C.F.R. §1.17(p) and ensure consideration of the disclosed information.

Respectfully submitted,

By: 

Date: May 9, 2005

Correspondence Address:

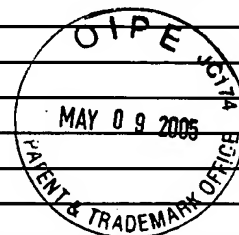
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PATENT APPLICATION

PTO/SB/08A MODIFIED

Substitute for form 1449A/PTO				Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	10/003,094
				Filing Date	November 2, 2001
				First Named Inventor	Joern Ostermann
				Group Art Unit	2655
				Examiner Name	Minerva Rivero
Sheet	1	of	4	Attorney Docket Number	2001-0600



U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		US-6,460,075 B2		Kruger, et al.	10-2002	
		US-6,784,901 B1		Harvey et al.	08-2004	
		US-6,496,868 B2		Krueger et al.	12-2002	
		US-6,680,934 B1		Cain, Bradley	01-2004	
		US-6,631,399 B1		Stanczak, et al.	10-2003	
		US-6,665,860 B1		DeSantis, et al.	12-2003	
		US-6,466,213		Bickmore, et al.	10-2002	
		US-6,018,744		Mamiya et al.	01-2000	
		US-5,537,662		Sato, et al.	07-1996	

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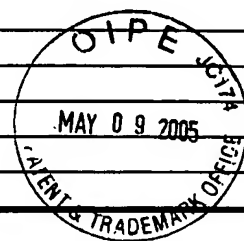
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	1	H. NOOT, ZS. M. RUTKAY, "Chartoon 20.0 Manual, January 31. 2000	<input type="checkbox"/>

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		First Named Inventor	Joern Ostermann
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		Examiner Name	Minerva Rivero
Sheet 2 of 4	Attorney Docket Number	2001-0600	



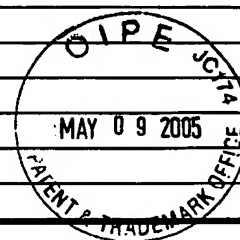
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		US-6,532,011		Francini, et al.	3-2003	
		US-6,147,692		Shaw, et al	11-2000	
		US-4,276,570		Burson, et al.	06-1981	
		US-5,638,502		Murata, Yoshiuki,	06-1997	
		US-5,818,461		Rouet et al.	10-1998	
		US-6,476,815		Ando, Tsutomu	11-2002	
		US-6,381,346		ErAsian, Arsev H.	04-2002	
		US-5,995,639		Kado, et al.	11-1999	
		US-5,689,618		Gasper, et al.	11-1997	

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	2	LIJUN YIN, A. BASU; "MPEG4 face modeling using fiducial points", IEEE; Image Processing, 1997. Proceedings., International Conference on, Volume: 1, 26-29. 1997	<input type="checkbox"/>

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th align="center" colspan="2">Complete if Known</th> </tr> <tr> <td style="width:50%;">Application Number</td> <td>10/003,094</td> </tr> <tr> <td>Filing Date</td> <td>November 2, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>Joern Ostermann</td> </tr> <tr> <td>Group Art Unit</td> <td>2655</td> </tr> <tr> <td>Examiner Name</td> <td>Minerva Rivero</td> </tr> <tr> <td>Attorney Docket Number</td> <td>2001-0600</td> </tr> </table>		Complete if Known		Application Number	10/003,094	Filing Date	November 2, 2001	First Named Inventor	Joern Ostermann	Group Art Unit	2655	Examiner Name	Minerva Rivero	Attorney Docket Number	2001-0600
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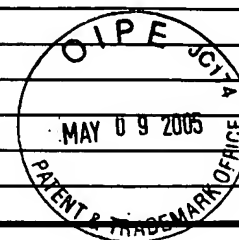
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		Number	Kind Code ² (if known)			
		US-6,384,829		Prevost, et al.	05-2002	
		US-5,347,306		Nitta, Tohei	09-1994	
		US 5,850,463		Horii, Kazuya	12-1998	
		US-4,602,280		Maloomian, Laurence G.	7-1986	
		US- 6,643,385		Bravomalo, Mario J.	11-2003	
		US-5,113,493		Crosby C. Scott	05-1992	
		US-6,215,505		Minami et al.	04-2001	
		US-6,417,853		Squires, et al.	07-2002	

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	3	BICKMORE, ET AL., "Animated Autonomous Personal Representatives", ACM, International Conference on Autonomous Agents, Proceedings of the Second International Conference on Autonomous Agents, pgs 8-15, 1998	<input type="checkbox"/>
	4.	THORISSON, KRISTINN R. "ToonFace: A System for Creating and Animating Interactive Cartoon Faces." MIT Media Laboratory Learning and Common Sense Section Technical Report, pp. 96-101, Apr. 1996	

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		2001/0050681 A1		Keys et al.	12-2001	
		2002/0109680 A1		Orbanes et al.	08-2002	
		2001-0050689 A1		Park	12-2001	
		2004/0091154 A1		Cote	05-2004	

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	5	DAVID KURLANDER, TIM SKELLY, DAVID SALESIN, "Comic Chat", Proceedings of the 23rd Annual Conference on Computer Graphics and Interactive Techniques, August 1996	<input type="checkbox"/>
	6	POLLACK, "Happy in the East or Smiling in the West", New York Times. 12, August 1996.	<input type="checkbox"/>
	7	PELACHAUD, ET AL. "Generating Facial Expressions for Speech", Cognitive Science, Jan. 3, 1996, Vol. 20, no. 1, pp. 1-46.	<input type="checkbox"/>

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